

Subject:	Adoption of 2008 Model Standards for Park Home Sites	Status:	For Publication
Report to:	Cabinet	Date:	28 th November 2012
Report of:	Health, Housing and Regeneration Manager	Portfolio Holder:	Housing and Environmental Health
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required: Yes	Attached:	Yes
Biodiversity Impact Assessment	Required: No	Attached:	No
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1.	RECOMMENDATION(S)
1.1	Members adopt the Department of Communities and Local Government "Model Standards 2008 for Caravan Sites in England" for new residential caravan sites and those existing sites that require substantial redevelopment within the area.
1.2	Members adopt the proposed "Rossendale Borough Council Standard Conditions for Mobile Home Parks" reflecting the improvements within the 2008 Model Standards.
1.3	The Council consults with operators and owners on amending current Site Licence Conditions for the two permanent residential mobile caravans sites (Mobile/Park Homes) in the borough to reflect any improvements that the 2008 model standards offer.
1.4	All future minor amendments to the "Rossendale Borough Council Standard Conditions for Mobile Home Parks" be delegated to the Health and Housing Manager in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

- 2.1 To consider the Department of Communities and Local Government "Model Standards 2008 for Caravan Sites in England".

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- The Council could be seen to be acting ultra-vires if enforcement action was undertaken focused around the 2008 Model Standard Conditions without adopting the standards.
 - The licence holder may appeal to the Magistrates Court against the imposition of conditions.

5. BACKGROUND AND OPTIONS

- 5.1 In addition to planning permission a site licence is required to operate a permanent residential

caravan site. These sites are now more commonly known as mobile or park home sites but the legal description remains as caravan sites. Site licences have conditions attached describing in more detail how the site is to be configured e.g. roads, paths and separation distances between homes and what services must be provided e.g. drainage, electricity and water. The current conditions generally follow the Government's 1989 model standards.

Model Standards 2008 for Caravan Sites in England

- 5.2 During 2008 the Government published new model standards. These are principally intended for new sites and those existing ones that require substantial redevelopment. Officers are not aware of any sites that meet these criteria at the moment but it would prudent to adopt the 2008 Model Standards for any future developments.
- 5.3 The new Model Standards 2008 apply only to caravan sites which contain caravans used as permanent residential units; they do not apply to sites used exclusively for holidays or touring caravan sites. However, where a site is licensed for mixed residential/holiday units, the Model Standards 2008 must apply.
- 5.4 The model standards represent those standards normally to be expected as a matter of good practice on park home / caravan sites. They should be applied with due regard to the particular circumstances of the relevant site, including its physical character, any relevant services, facilities or other amenities that are available within or in the locality of the site and other applicable conditions. It may not be appropriate to apply all of the conditions to smaller sites. Local Authorities are not limited by the standards and may attach extra local conditions, where required.
- 5.5 These Model Standards should be considered when applying licence conditions to new sites and sites that have been substantially redeveloped. Conditions attached to current licences may be varied, supplemented or replaced at any time by the licensing authority provided that the licence holder has been consulted and has had adequate opportunity to make representations.
- 5.6 Where a current licence condition is adequate in serving its purpose, the authority should not normally apply the new standard. Where it is appropriate to apply the new standard to a condition the local authority should be able to justify its reasons for doing so, having regard to all the relevant circumstances of the site. In deciding whether to apply a new standard the local authority must have regard to the benefit that the standard will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition).
- 5.7 In accordance with the guidance, it is proposed that the 2008 Model Standard Conditions are applied to any new or replacement park home or caravan site licences in Rossendale and that consultation is undertaken with operators to revise existing licences around the 2008 Model Standards.
- 5.8 Park Homes are actively marketed as retirement living and most parks including the two current ones in Rossendale are for Over 55s. Therefore, though the adoption of standards leading to the improvement of park settings and conditions there will be a positive impact on this equality group.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no immediate financial implications arising from the report.

7. MONITORING OFFICER

7.1 The model standards produced by the Government represent current good practice and are designed to protect the Health and Safety of Caravan Site occupiers.

8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

8.1 No Human Resource implications.

9. CONSULTATION CARRIED OUT

9.1 Direct consultation with:-
Internal Departments
Site operators and owners
Residents Association at Carter Hall Park
Residents at Swinell Brook Park
Lancashire Fire and Rescue

10. CONCLUSION

10.1 That members agree to adopt the 2008 Model Standards for Caravan Sites in England and proposed licence conditions for Rossendale as attached.

10.2 That members delegate the power to alter conditions to the Health and Housing Manager.

Background Papers

Document	Place of Inspection
Copy of 2008 Model Standards	http://communities.gov.uk/documents/housing/pdf/modelstandards2008.pdf